Test of relationship.

3. In this Act the expressions "brother" and "sister," respectively, include half-brother and half-sister, and the provisions of this Act shall apply whether the relationship between the person charged with an offence under this Act and the person with whom the offence is alleged to have been committed, is or is not traced through lawful wedlock.

Prosecution of offences. 22 & 23 Vict. c. 17.

4.—(1) An offence under this Act shall be deemed to be an offence within, and subject to, the provisions of the Vexatious Indictments Act, 1859, and any Act amending the same.

(2) A court of quarter sessions shall not have jurisdiction to enquire of, hear, or determine any indictment for an offence against this Act, or for an attempt to commit any such offence.

(3) If, on the trial of any indictment for rape, the jury are satisfied that the defendant is guilty of an offence under this Act, but are not satisfied that the defendant is guilty of rape, the jury may acquit the defendant of rape and find him guilty of an offence under this Act, and he shall be liable to be punished accordingly.

If, on the trial of any indictment for an offence under this Act, the jury are satisfied that the defendant is guilty of any offence under sections four or five of the Criminal Law Amendment Act, 1885, but are not satisfied that the defendant is guilty of an offence under this Act, the jury may acquit the defendant of an offence under this Act and find him guilty of an offence under sections four or five of the Criminal Law Amendment Act, 1885, and he shall be liable to be punished accordingly.

(4) Section 4 of the Criminal Evidence Act, 1898, shall have effect as if this Act were included in the schedule to that Act.

Proceedings to be held in camera.

5. All proceedings under this Act are to be held in camera.

Sanction of Attorney-General.

6. No prosecution for any offence under this Act shall be commenced without the sanction of His Majesty's Attorney-General, but this section shall not apply to any prosecution commenced by or on behalf of the Director of Public Prosecutions.

Extent.

7. This Act shall not extend to Scotland.

Short title and commencement.

8. This Act may be cited as the Punishment of Incest Act, 1908, and shall come into operation on the first day of January one thousand nine hundred and nine.

CHAPTER 46.

An Act to amend the Criminal Appeal Act, 1907, with reference to the Judges of the Court of Criminal Appeal and the Registrar. [21st December 1908.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Judges of the Court of Criminal Appeal. 7 Edw. 7. c. 23.

1. Notwithstanding anything in section one of the Criminal Appeal Act, 1907, all the judges of the King's Bench Division of the High Court shall be judges of the Court of Criminal Appeal.

Registrar of the Court of Criminal Appeal.

2.—(1) Notwithstanding anything in section two of the Criminal Appeal Act, 1907, from and after the passing of this Act the Master of the Crown Office shall be the Registrar of the Court of Criminal Appeal.

(2) The power to provide additional staff for the Registrar of the Court of Criminal Appeal includes a power to appoint an Assistant Registrar, but any Assistant Registrar so appointed shall be either a Master of the Supreme Court acting in the King's Bench Division or a practising barrister of not less than seven years' standing, and shall be appointed by the Lord Chief Justice of England.

Short title.

3. This Act may be cited as the Criminal Appeal (Amendment) Act, 1908.

CHAPTER 47.

An Act to amend the Lunacy Acts, 1890 and 1891.

[21st December 1908.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension to quasi-committees of powers of committees with respect to management of property. 53 & 54 Vict. c. 5.

1. In the case of any of the persons mentioned in subsection (1) of section one hundred and sixteen of the Lunacy Act, 1890, not being a lunatic so found by inquisition, any powers which, if such person were a lunatic so found by inquisition, could be exercised by the committee of the estate, may be exercised by such person in such manner, and with or without security, as the Judge in Lunacy or, subject to Rules in Lunacy, a Master may direct, and any such order may confer on the person therein named authority to do any specified act or exercise any specified power, or may confer a general authority to exercise until further order all or any of such powers without further application to the Judge or a Master, and subsection (3) of the said section shall apply to every person so appointed, and subsection (2) of the said section shall be repealed.

Amendment of section 135 of the Lunacy Act, 1890.

2. The following subsection is substituted for subsection three of section one hundred and thirty-five of the Lunacy Act, 1890:—

"(3) An order under subsections one and two shall have the same effect as if the lunatic had been sane, and, if solely seised, possessed, or entitled as aforesaid,